



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**COPY OF PAPERS
ORIGINALLY FILED**

Applicant: Marvin J. Slepian

Serial No.: 10/072,766

Group Art Unit:

Filed: February 8, 2002

Examiner: Not yet assigned

For: ENDOMURAL THERAPY

BOX MISSING PARTS

Commissioner of Patents and Trademarks
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE
MISSING PARTS OF NONPROVISIONAL APPLICATION**

Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application, mailed March 12, 2002, applicant encloses the following for filing in the above-identified application:

1. Declaration for Patent Application executed by Marvin J. Slepian;
2. Power of Attorney or Authorization of Agent executed by Endoluminal Therapeutics, Inc.;
3. Statement Under 37 C.F.R. § 3.73(b) executed by Endoluminal Therapeutics, Inc., with attached copy of the executed Assignment from Marvin J. Slepian to Endoluminal Therapeutics, Inc.;
4. Fee Transmittal (in duplicate); and
5. Check in the amount of \$65.00 for the small entity surcharge for late filing the Declaration for Patent Application.

This application is entitled to claim small entity status pursuant to 37 C.F.R. § 1.27.

Applicant also encloses a copy of the Notice to File Missing Parts of Nonprovisional Application, mailed March 12, 2002.

The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment in connection with this matter, to Deposit Account No. 50-1868.

A duplicate of this transmittal is enclosed to facilitate this process.

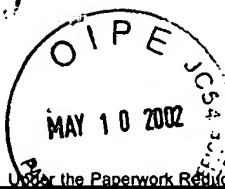
Respectfully submitted,



Patrea L. Pabst
Reg. No. 31,284

Date: May 1, 2002

HOLLAND & KNIGHT LLP
Suite 2000, One Atlantic Center
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213 MP/14

PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL**for FY 2002**

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT**

(\$) 65.00

Complete if Known

Application Number	10/072,766
Filing Date	February 8, 2002
First Named Inventor	Marvin J. Slepian
Examiner Name	
Group Art Unit	
Attorney Docket No.	MJS 104

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

50-1868

Holland & Knight LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$) .00**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent	Multiple Dependent						
		- 20 =		X		=	
		- 3 =		X		=	

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) .00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 65.00**SUBMITTED BY**

Name (Print/Type) Patrea L. Pabst

Registration No. 31,284
(Attorney/Agent)**Complete (if applicable)**

Telephone (404) 817-8473

Signature

Date

4/30/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/072,766	02/08/2002	Marvin J. Slepian	MJS 104

CONFIRMATION NO. 2905

FORMALITIES LETTER



OC000000007625016

Patrea L. Pabst
Holland & Knight LLP
One Atlantic Center Suite 2000
1201 West Peachtree Street
Atlanta, GA 30309-3400

Date Mailed: 03/12/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/13/2002 TGEDAMU1 00000034 10072766

FILED UNDER 37 CFR 1.53(b)

01 FC:205

65.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - Drawings must be reasonably free from erasures and must be free from alterations, overwritings, interlineations, folds, and copy marks.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION, and any paper referred to as being attached or enclosed, are being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to BOX MISSING PARTS, Commissioner of Patents and Trademarks, Washington, D.C. 20231.



Pam Turnbough

Date: May 1, 2002

ATL1 #521976 v1